

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
(Alexandria Division)**

Cathie Jung, an individual Plaintiff.)	
)	
)	
v.)	CIVIL ACTION NO. 1:09 cv 1353
)	AJT/JFA
)	
CATHIEJUNG.COM, an Internet Domain Name)	
Defendant.)	
)	

MOTION FOR AMENDMENT OF ORDER

Plaintiff Cathie Jung ("Plaintiff") by undersigned counsel respectfully moves for an amendment of the order issued by this court in the above-referenced proceeding. The court previously issued the original order attached to this Motion as Exhibit A of the Declaration of Plaintiff's Counsel in Support of the Motion for Amendment of Order ("Decl. Plaintiff's Counsel"). Upon receipt of the order of the court, Counsel for Plaintiff sent a copy of the order to Verisign, Inc. ("Verisign"), the registry of the domain name, with a request that the domain name <CATHIEJUNG.COM> be transferred to the Plaintiff. After Verisign's research of the issue and after discussions between Plaintiff's counsel and attorneys in the legal department of Verisign, Mr. James T. Hubler, Esquire, Senior Corporate Counsel, Global Law Department stated Verisign's position on the issue of Verisign's compliance with the order. Mr. Hubler sent an email (attached to this motion as Exhibit B to Decl. Plaintiff's Counsel hereto) stating as follows:

As discussed, VeriSign will comply with any order from a court of competent jurisdiction that explicitly identifies VeriSign by name and orders it to take action. Further, as a thin registry, we cannot transfer a domain name directly to a registrant. We can, however, change the registrar or record for a domain name. Thus, I would advise that the order direct VeriSign to change the registrar of record for cathiejung.com to your client's preferred registrar. The order should

then further order that receiving registrar to register it in your client's name. I've attached some examples for your reference.

Verisign's suggested wording of the order is consistent with the wording of the proposed order that the undersigned counsel for Plaintiff requested in Plaintiff's motion for a default judgment in this proceeding (attached to this motion as Exhibit C to Decl. Plaintiff's Counsel hereto). Similarly, the wording is consistent with the wording of the Report and Recommendation of the Magistrate Judge in this proceeding (attached to this motion as Exhibit D of Decl. Plaintiff's Counsel) which stated as follows:

For these reasons, the undersigned magistrate judge recommends a finding that the registrant's actions have violated the ACPA, and that an order be entered requiring the registry VeriSign, Inc. to transfer the registrar for the domain name <cathiejung.com> from PSI-USA, Inc. to Network Solutions, LLC and ordering Network Solutions, LLC to transfer the registration of <cathiejung.com> to plaintiff.

Accordingly, the issues in this case relevant to the wording of the order have been reviewed and considered by the court. It is respectfully suggested that the legal substance of the wording requested by Verisign is consistent with the wording of the original order issued by the court in this proceeding. Furthermore, the wording requested by Verisign is consistent with (1) the wording contained in the Report and Recommendation of the Magistrate Judge in this proceeding (attached to this motion as Exhibit D of Decl. Plaintiff's Counsel) and (2) the wording of previous orders of this court in similar litigation which has resulted in a decision ordering the transfer of a domain name to a plaintiff. Examples of the previous orders are a part of the email from Verisign and are attached to this motion as pages 2, 3 and 4 of Exhibit B to Decl. Plaintiff's Counsel.

WHEREFORE, Plaintiff respectfully moves for an amendment of the court's previous order issued in this proceeding. A proposed amended order is attached hereto for the court's consideration.

.Respectfully Submitted

July 9, 2010

_____/s/_____

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